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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HAWKNET LTD.,

**Plaintiff,**

-against-

OVERSEAS SHIPPING AGENCIES;  
OVERSEAS WORLDWIDE HOLDING  
GROUP; HOMAY GENERAL TRADING  
CO. LLC; MAJDPOUR BROS CUSTOMS  
CLEARANCE, MAJDPOUR BROS  
INTERNATIONAL SEA & LAND  
TRANSPORT S.A.; GULF OVERSEAS LLC;  
GULF OVERSEAS GENERAL TRADING  
LLC and MOS OVERSEAS SHIPPING  
VERMITTLUNG GMBH.

## Defendants.

SECOND  
DECLARATION OF  
MATTHIAS BIMSCHAS  
IN OPPOSITION TO  
MOTION TO VACATE  
ATTACHMENT AND IN  
SUPPORT OF CROSS-  
MOTION TO AMEND

07 Civ 05912 (NRB)

**Electronically Filed**

FEDERAL REPUBLIC OF GERMANY)

)ss:

## CITY OF HAMBURG

MATTHIAS BIMSCHAS, pursuant to the provisions of 28 U.S.C. § 1746,

declares and states as follows:

1. I am 40 years old and have worked since 1999 for Claas W. Brons of Beidem Neuen Krahn 2, Hamburg 20457, Germany. Claas W. Brons, which has been in existence since 1871, acts as a local correspondent in Hamburg for various marine

2. I submit this declaration at the request of plaintiff Hawknet Ltd. to place certain documents before the Court.

3. Attached as Exhibit A to this declaration are the articles of association (in German) of defendant MOS Overseas Shipping Vermittlung GmbH. I obtained these articles from the Handelsregister, the commercial registry in Hamburg. Included within Exhibit A is a Power of Attorney whose translation into English appears as Exhibit B to this declaration. According to my understanding, the Power of Attorney has been given by Majid, Naser and Sina Majdpour to Tofigh Majdpour. The Power of Attorney states that Tofigh, Majid and Naser Majdpour are all "son of Jafar", which presumably makes them brothers. Sina Majdpour is identified as "son of Tofigh".

4. Attached as Exhibit C to this declaration are two pages from the Hamburg Melderegister, which is a list or register of the residents of Hamburg compiled and maintained by the city government pursuant to an act or ordinance entitled "Hamburgisches Meldegesetz". Section 1, paragraph 1 of the Meldegesetz authorizes the authorities "Meldebehörden" to register people who live in Hamburg. Section 1, paragraph 2 obliges the authorities to operate the "Melderegister". Section 2 lists the details which have to be registered -- for instance, a resident's last name, first name, address and date of birth. Section 12 of the Meldegesetz obliges people who move to a new address within Hamburg to notify the authorities.

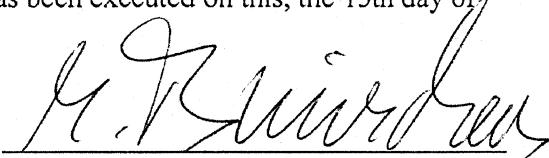
5. Page 1 of Exhibit C provides information on Tofigh Majdpour, including his date of birth ("geburtsdatum"), which is August 9, 1950, and his address, which is "20149 Hamburg, Harvestehuder Weg 79 2.Stock bei Whg. 9." The street address is

Harvestehuder Weg 79. The remaining phrase ("2. Stock bei Whg. 9") means second floor, apartment 9.

  
MATTHIAS BIMSCHAS

**DECLARATION PURSUANT TO 28 U.S.C. § 1746**

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and has been executed on this, the 15th day of April, 2008.

  
MATTHIAS BIMSCHAS